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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR05-0231-JCC
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 ROBIN W. HUNDAHL,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF PROBATION
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14 An initial hearing on probation revocation in this case was scheduled before me on
15 February 22, 2007. The United States was represented by AUSA Todd Greenberg and the
16 defendant by Robert w. Goldsmith. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about March 10, 2006 by the Honorable John C.
18 Coughenour on a charge of Misprision of a Felony, and sentenced to two years probation.

19 The conditions of probation included the standard conditions plus the requirements that
20 defendant submit to search, provide access to financial information, and not associate with any
21 known outlaw motorcycle gang members or wear the colors of any such gang. (Dkt.960).

22 In an application dated February 8, 2007 (Dkt. 1149), U.S. Probation Officer Donald E.

01 Moon alleged the following violations of the conditions of probation:

02 1. Associating with a Bandido Motorcycle Club member on January 30, 2007, in
03 violation of a special condition of probation.

04 2. Failing to notify the probation office within 72 hours of being arrested or
05 questioned by law enforcement on January 20, 2007, in violation of standard condition number
06 11.

07 3. Using methamphetamine on or about January 20, 2007, in violation of standard
08 condition number 7.

09 4. Using methamphetamine on or about January 30, 2007, in violation of standard
10 condition number 7.

11 In a second application dated February 21, 2007, U.S. Probation Officer Donald E. Moon
12 alleged the following violations of the conditions of probation:

13 5. Failing to submit to drug testing on February 14, 2007, in violation of a general
14 condition of probation.

15 6. Associating with known outlaw motorcycle gang members, including Bandido
16 Motorcycle Club members, probationers, affiliates, or associates on or about January 20, 2007,
17 in violation of a special condition of probation.

18 Defendant was advised in full as to those charges and as to his constitutional rights.

19 Defendant admitted alleged violations 1, 3, 4, and 5 and waived any evidentiary hearing
20 as to whether they occurred. The government moved to dismiss violations 2 and 6.

21 I therefore recommend the Court find defendant violated his probation as alleged in
22 violations 1, 3, 4, and 5, that the Court dismiss violations 2 and 6, and that the Court conduct a

01 hearing limited to the issue of disposition. The next hearing will be set before Judge Coughenour.

02 Pending a final determination by the Court, defendant has been detained.

03 DATED this 22nd day of February, 2007.

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05 Mary Alice Theiler
06 United States Magistrate Judge

07 cc: District Judge: Honorable John C. Coughenour
08 AUSA: Todd Greenberg
09 Defendant's attorney: Robert W. Goldsmith
10 Probation officer: Donald E. Moon
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